

ITEM 12-08

Adopted by the 216th General Assembly (2004)

Presbyterian Church (U.S.A.)

A RESOLUTION AND CONFESSION ON THE TORTURE AND ABUSE OF PRISONERS

1. That it call upon the whole Presbyterian Church (U.S.A.), while recognizing the honorable performance of the majority of coalition forces in rebuilding Iraq, to join with the commissioners to

a. reaffirm our support for human rights and the Geneva Convention relative to the Treatment of Prisoners of War;

b. explicitly reject torture and abuse as methods of interrogation and treatment of prisoners for they are inconsistent with the Gospel; and

c. acknowledge we are inescapably part of our culture and offer our confession in repentance.

2. The treatment of those incarcerated in the naval base in Guantanamo, Cuba, and in the Abu Ghraib prison in Iraq (and perhaps elsewhere), has highlighted serious legal and moral issues that cannot be ignored and must not be allowed to pass unexamined. Violations of international law as well as serious moral malfeasance are involved.

Such treatment is contrary to the Geneva Convention Relative to Treatment of Prisoners of War (1949), particularly Articles 13, 14, 15, 17, and 18. Article 17, Fifth Paragraph, provides:

Neither physical or mental torture nor any other form of coercion may be inflicted on prisoners of war to secure from them information of any kind whatever. Prisoners of war who refuse to answer may not be threatened, insulted, or exposed to any unpleasant or disadvantageous treatment of any kind.

Objections to such practices have been voiced by lawyers within the armed services as well as by human rights organizations. Such practices have been deplored by a great majority of the citizens of our country, quite irrespective of their views as to the legitimacy of taking military action against Iraq. These actions have undercut American claims to a moral high ground and opened the way for enemies to maltreat members of our own society that fall into their hands. Moreover, they constitute flagrant violations of the Geneva Convention Relative to the Treatment of Prisoners of War, to which the United States is a signatory [<http://www.unhchr.ch/html/menu3/b/911.htm>].

As citizens of our country, members of the Presbyterian Church (U.S.A.) have been urged to engage in repentance for these actions, even if their personal responsibility for them is indirect and minimal. That call for repentance is an indication of the extent to which these actions must be deplored.

But efforts must be made to ensure that such actions are eliminated from future practice. This can be done only if there is a complete and adequate understanding as to why they have arisen—a matter of present uncertainty and possible confusion.

3. Further, efforts must be made to ensure that such torture and abuse do not occur in the future. To that end, the 216th General Assembly (2004) directs the Stated Clerk to take the following actions:

a. Commend all who have brought this prison abuse to the attention of the public as well as all who have recognized the seriousness of the issues raised and the need to deal vigorously with the policy and administrative questions that are involved;

b. Urge the U.S. Congress to direct an appropriate independent and formal inquiry to determine what led to these events. This body should have full investigative powers and issue its findings publicly.

c. Urge government officials to develop safeguards that will serve to prevent such behavior from arising in the future.

4. Write and send a pastoral letter to the churches, communicating the intent of this resolution.